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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 Lisa Leonard,

12 Plaintiff,

13 v.

14 County of Lassen et al.,

15 Defendants.
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No. 2:23-cv-01189-KJM-DMC

ORDER

17 In this employment action, plaintiff Lisa Leonard moves to file a first amended complaint
18 against defendants, County of Lassen and Does 1–20 inclusive. Leonard contends the proposed
19 amended complaint will assert additional claims for alleged violations of the Americans with
20 Disabilities Act arising from her employment with defendants. Mot. at 7, ECF No. 28; 42 U.S.C.
21 §§ 12101, 12112(b)(5)(A). The motion is unopposed. See Statement Non-Opp’n, ECF No. 31.
22 The court, in its discretion, submitted the matter without oral argument. See Min. Order, ECF
23 No. 32.

24 Federal Rule of Civil Procedure 15(a)(2) provides the court should “freely give leave [to
25 amend] when justice so requires” and the Ninth Circuit has “stressed Rule 15’s policy of favoring
26 amendments.” *Ascon Properties, Inc. v. Mobil Oil Co.*, 866 F.2d 1149, 1160 (9th Cir. 1989).
27 “Courts may decline to grant leave to amend only if there is strong evidence of ‘undue delay, bad
28 faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by

1 amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of
2 the amendment, [or] futility of amendment, etc.’” *Sonoma Cnty. Ass’n of Retired Emps. v.*
3 *Sonoma Cnty.*, 708 F.3d 1109, 1117 (9th Cir. 2013) (quoting *Foman v. Davis*, 371 U.S. 178, 182
4 (1962)).

5 Here, the court finds leave to amend is warranted. The court has not yet held a pretrial
6 conference and there is no trial date pending. At this early stage of the case, the court finds no
7 evidence of undue delay or prejudice to the defendants. Moreover, plaintiff’s proposed amended
8 complaint relates to the same conduct as her original complaint asserting claims of sexual
9 harassment in violation of 42 U.S.C. §§ 2000e-3(a), 12203. *Compare* Compl., ECF No. 1, *with*
10 Mot. Ex. A, Proposed First Am. Compl., ECF No. 28-1. The court also finds no indication of bad
11 faith or dilatory motive. Finally, plaintiff has not repeatedly failed to cure deficiencies nor is
12 there any indication amendment would be futile.

13 For the reasons stated above, the court **grants** plaintiff’s motion. The first amended
14 complaint must be filed within **fourteen days of this order**.

15 This order resolves ECF No. 28.

16 IT IS SO ORDERED.

17 DATED: January 30, 2025.

18 
UNITED STATES DISTRICT JUDGE